IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Bail Appl..No. 5812 of 2007()

CMP.2539/2007 of J.M.F.C., MANNARKAD
O.R.NO.8/07 OF MUKKALI FOREST STATION

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PETITIONERS/ACCUSED 1.2 AND 3

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1. MANIKANDAN,S/O. SUBRAMANAYAN, AGED 28 YEARS, PUTHUR VILLAGE, UNNATHUMPADI, PUTHUR, PALAKKAD.

2. BHAVA & MOOSA,S/O. MOIDEEN, KAMBRAN HOUSE,KAITHAKUZHIYIL VEEDU, KARATHUR, CHAVADIYUR.

3. SIBI @ THOMAS,S/O. PONNU JOSEPH, KAMBRAN HOUSE,KAITHAKUZHIYIL VEEDU, KARATHUR, CHAVADIYUR.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENTS: COMPLAINANT

THE DEPUTY MANAGER, MUKKAL FOREST STATION, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5812 of 2007

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Dated this the 26th day of September, 2007

O R D E R

Application for regular bail. The petitioners are accused 1 to 3. Altogether there are three accused only. They face allegations under the Kerala Forest Act. The crux of the allegations is that the petitioners were intercepted when they were transporting 122.4 kgs. of sandal wood illicitly and without any authority in a vehicle on 7.9.2007. They were arrested on the same day. They continue in custody from that date.

2. The learned counsel for the petitioners prays, the learned Prosecutor does not oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioners can now be enlarged on bail, subject to appropriate terms and conditions. The learned Prosecutor submits that though the State is not at the moment able to specify whether the petitioners are involved in any other crime, the confession statement of one of the accused shows that he has involved in some other crimes also.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of three months from the date of their release and thereafter as and when directed by the Investigating Officer in writing to do so.

© The petitioner shall not leave the Sessions Division of Palghat, except for the purpose of complying with condition No.(b) above, until further orders without the prior permission of the learned Magistrate.

(R. BASANT)
Judge

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